House No. 4206

Message from His Excellency the Governor recommending legislation relative to An Act Making Appropriations for the Fiscal Year 2010 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.

The Commonwealth of Massachusetts



EXECUTIVE DEPARTMENT
STATE HOUSE • BOSTON 02133
(617) 725-4000

DEVAL L. PATRICK GOVERNOR TIMOTHY P. MURRAY LIEUTENANT GOVERNOR

8/7/2009

To the Honorable Senate and House of Representatives:

Pursuant to Section 5 of Article 63 of the Amendments to the Constitution, I am today signing House 4181, "An Act Making Appropriations for the Fiscal Year 2010 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects", while disapproving certain items and sections.

I am approving \$40 million in additional funding to help meet the health care needs of legal immigrants who will be disenrolled from their existing Commonwealth Care health insurance because they do not currently qualify for federal reimbursement. I appreciate the difficult budget choices that have to be made in this tough economic environment. Thus, the fact that the Legislature has expressed a desire to continue to provide funding for health care for all legal, tax-paying residents in these difficult fiscal times is heartening.

While we appreciate this statement of support, I regret that the Legislature did not approve my prior requests for full funding of approximately \$130 million to maintain their existing Commonwealth Care coverage, or, as a subsequent compromise proposal, \$70 million to offer them a modified health insurance package for the remainder of the fiscal year. The failure to provide the requested level of funding imposes significant constraints on our capacity to fund health services for this population in fiscal year 2010. We will work within these constraints to put the \$40 million in funding appropriated by the Legislature to the best possible use to address these health care needs during this fiscal year, recognizing that there will be limitations to what

we can achieve. At the same time, we will continue striving for a long-term solution that offers comprehensive, affordable coverage to these legal residents.

I am also approving part of the proposed supplemental appropriation for the Commonwealth Zoological Corporation, bringing its state appropriation to \$3.5 million for fiscal year 2010. I am confident that this level of public funding, together with increased private funding and needed reductions, will result in a manageable short-term solution. Furthermore, this will give the Corporation an appropriate amount of time to develop a plan to move towards greater self-sufficiency and less reliance on state funding. Greater self-sufficiency is both achievable for the Corporation and imperative to preserve scarce state resources for *core* state functions. I am directing my Secretary of Housing and Economic Development and other senior Administration officials to work closely with the Corporation to develop a plan to move towards greater self-sufficiency as a condition for the release of the additional state funding. No funds shall be released unless these conditions are met.

Regretfully, I am not able to approve all of the funding contained in this supplemental appropriations legislation in light of continuing revenue uncertainty in fiscal year 2010. Thus, I am disapproving \$33.3 million (\$24.9 million in net spending, after accounting for foregone accompanying revenue) of this legislation. These vetoes cover the full amount of the July tax revenue shortfall.

Therefore:

- I am disapproving or reducing items of sections 2 and 2A of House 4181 enumerated in Attachment A of this message for the reasons set forth in that Attachment; and
- I am disapproving those sections of House 4181 itemized in Attachment B of this message for the reasons set forth in that Attachment.

I approve the remainder of this Act.

Sincerely,

DEVAL L. PATRICK,

Governor.

I disapprove the following items:

in Section 2

0330-3337

0333-0002

0335-0001

0339-1001

0339-1003

2800-0501

2810-0100

4000-0265

4000-0500

4000-0700

4000-0950

4510-0715

4512-0202

4513-1000

4513-1111

4800-0038

6005-0015

7002-0500

7004-9005

7004-9316

7007-0500

7007-1000

7061-0012

7061-9604

7061-9634

9110-1633

9500-0000

9600-0000

9700-0000

In Section 2A

1599-6425

4510-0716

7061-0011

I reduce the following items to the following amounts:

Section 2	Reduce By	Reduce To
2511-0105	500,000	500,000
4000-0600	6,100,000	7,000,000
4510-0810	150,000	150,000
7000-9401	790,000	500,000
7003-0605	175,000	175,000
7007-0951	1,500,000	1,000,000

I disapprove Sections 11A, 11B, 13, 14, 15, 16, 17, 18, 22 and 32A.

The remainder of this bill I approve.

Approved, August , 2009

at o'clock and minutes, .M.

Deval Patrick

Governor

Attachment A

FY10 Budget

Veto Items: Line Item Accounts

Section 2

Item Number	Action
Trial Court Additional	Expenses
0330-3337	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.
Probate and Family Co	urt
0333-0002	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.

Item Number	Action
Boston Municipal Cour	t
0335-0001	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.
Commissioner of Proba	ition
0339-1001	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.
Community Correction	s Administration
0339-1003	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.

Item Number	Action		
Emergency Food Assis	tance	Reduce By	Reduce To
2511-0105	Reduce	500,000	500,000
I am reducing this item	to be consistent with a	n amount that is afford	lable.
Beach Preservation			
2800-0501	Veto		
I am vetoing this item t	o be consistent with my	House 1 revised reco	mmendation.
State Parks and Recreat	tion		
2810-0100	Veto		
I am vetoing this item t	o be consistent with my	House 1 revised reco	mmendation.

Item Number	Action		
Primary Care Workfo	orce		
4000-0265	Veto		
I am vetoing this iter	n because the appr	opriation is not recomi	mended in light of available revenues.
MassHealth Manage	d Care		
4000-0500	Veto		
I am vetoing this iter	n because the appr	opriation is not recomi	mended in light of available revenues.
MassHealth Senior C	Care	Reduce By	Reduce To
4000-0600	Reduce	6,100,000	7,000,000
I am reducing this ite	em because the fun	ding is not recommend	led in light of available revenues.

Item Number	Action
MassHealth Fee for Ser	vice
4000-0700	Veto
I am reducing this item	because the funding is not recommended in light of available revenues.
Children's Behavioral H	Health Initiative
4000-0950	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.
Primary Care Center an	d Loan Forgiveness Program
4510-0715	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.

Item Number	Action		
SANE and Pedi-SAN	NE Programs		
4510-0810	Reduce	Reduce By	Reduce To
		150,000	150,000
I am reducing this ite	em to an amount consi	stent with available r	revenues.
Secure Treatment Fa	cilities for Opiate Ado	liction	
4512-0202	Veto		
I am vetoing this iter	n because the appropr	iation is not recomme	ended in light of available revenues.
Family Health Service	ces		
4513-1000	Veto		
I am vetoing this iter	n because the appropr	iation is not recomme	ended in light of available revenues.

Item Number	Action
Health Promotion and I	Disease Prevention
4513-1111	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.
Services for Children &	z Families
4800-0038	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.
Regional Transit Autho	rities
6005-0015	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.

Item Number	Action		
Regional Library Local	l Aid		
7000-9401	Reduce	Reduce By	Reduce To
		790,000	500,000
I am reducing this item	consistent with avai	lable revenues.	
Division of Industrial A	Accidents		
7002-0500	Veto		
I am vetoing this item b	pecause the appropria	ation is not recomme	ended in light of available revenues.
Manufacturing Extensi	on Partnership		
7003-0605	Reduce	Reduce By	Reduce To
		175,000	175,000
I am reducing this item	consistent with avai	lable revenues.	

Item Number	Action
Housing Authority Sub	sidies
7004-9005	Veto
I am vetoing this item to	o be consistent with my House 1 revised recommendation.
Family Residential Ass	istance
7004-9316	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.
Biotech Research Institu	ute
7007-0500	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.

Item Number	Action			
Commonwealth Zoolo	ogical Corporation			
7007-0951	Reduce	Reduce By	Reduce To	
		1,500,000	1,000,000	
I am vetoing this item	because the approp	oriation is not recon	nmended in light of available revenue	es.
Local Tourist Council	s			
7007-1000	Veto			
I am vetoing this item	because the approp	oriation is not recom	nmended in light of available revenue	es.
Special Education Res	sidential			
7061-0012	Veto			
I am vetoing this item	because the approp	oriation is not recom	nmended in light of available revenue	es.

Item Number	Action
Teacher Certification	
7061-9604	Veto
I am vetoing this item to	o be consistent with my House 1 revised recommendation.
Mentoring Grants	
7061-9634	Veto
I am vetoing this item b	because it is not consistent with my House 1 revised recommendation.
Home Care Case Mgmt	& Admin
9110-1633	Veto
I am vetoing this item b	because the appropriation is not recommended in light of available revenues.

Item Number	Action			
Senate Operations				
9500-0000	Veto			
I am vetoing this item to	be consistent with my House 1 revised recommendation.			
House Operations				
9600-0000	Veto			
I am vetoing this item to	be consistent with my House 1 revised recommendation.			
Joint Legislative Operations				
9700-0000	Veto			
I am vetoing this item to	be consistent with my House 1 revised recommendation.			

Item Number	Action			
Municipal Regionalization Reserve				
1599-6425	Veto			
I am vetoing this item b	because it is not consistent with my House 1 revised recommendation.			
Academic Detailing Pro	ogram			
4510-0716	Veto			
I am vetoing this item b	because it is not consistent with my House 1 revised recommendation.			
Foundation Reserve				
7061-0011	Veto			
I am vetoing this item b	because it is not consistent with my House 1 revised recommendation.			

Attachment B

FY10 Budget

Veto Items: Outside Sections

Hampden Justices / Clerks
Section 11A
I am vetoing this section because it inconsistently intrudes on the functioning of the judicial department.

Hampden Justices / Clerks					
Section 11B					
I am vetoing this section because it inconsistently intrudes on the functioning of the judicial department.					
Pension Commission Extension					
Section 13					
I am vetoing this section because of the urgent need to reform our pension systems, but I recognize that some additional effort to finalize the special commission's report may be necessary after the reporting deadline.					
ABCC					
Section 14					
I am vetoing this section because it allows funding through an earmark for a program not recommended.					

Personal Needs Allowance
Section 15
I am vetoing this section because it allows for funding not recommended in light of available revenues.
Chronic Disease Hospital Rate Methodology
Section 16
I am vetoing this section because it allows for a rate increase outside of the rate setting process.
ECPTF
Section 17
I am vetoing this section because it allows for funding that is not recommended in light of available revenues.

DYS SOPS
Section 18
I am vetoing this section because it establishes an undue restriction on a state department.
DFS Language
Section 22
I am vetoing this section because it earmarks funding for local purposes in an assessed appropriation that provides statewide services.
MASAC
Section 32A
I am vetoing this section because it establishes a reporting restriction that could delay necessary savings from being achieved.